

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES DEL CONTE, Plaintiff, v. BOROUGH OF AMBLER, et al., Defendants.	CIVIL ACTION NO. 05-6191
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ORDER

AND NOW, this day of December, 2005, upon consideration of Motion of Defendants Borough of Ambler and Bruce Jones, To Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(B)(6) and the response thereto, it is **ORDERED** that said Motion is **DENIED** without prejudice with leave to renew by Motion for Summary Judgment following the completion of discovery.

BY THE COURT:

/s/ Marvin Katz

MARVIN KATZ, S.J.